

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

ePLUS Inc.,)
)
Plaintiff,) Civil Action No. 3:09-CV-620 (REP)
)
v.)
)
LAWSON SOFTWARE, INC.,)
)
)
Defendant.)

**DECLARATION OF DAVID M. YOUNG, ESQ., IN SUPPORT OF PLAINTIFF ePLUS,
INC.’S SUPPLEMENTAL BRIEF REGARDING “MEANS FOR BUILDING A
REQUISITION” IN FURTHER SUPPORT OF MOTION TO STRIKE PORTIONS OF
DEFENDANT’S EXPERT REPORT AND EXCLUDE FROM TRIAL ALLEGED PRIOR
ART AND INVALIDITY ARGUMENTS NOT DISCLOSED IN DEFENDANT’S
COURT-ORDERED INVALIDITY CONTENTIONS**

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I, David M. Young, declare as follows:

1. I am an attorney at Goodwin Procter LLP, counsel for Plaintiff *ePlus Inc.* in this action. I submit this declaration in support of Plaintiff *ePlus Inc.*'s Supplemental Brief in further support of its Motion to Strike Portions of Defendant's Expert Report and Exclude from Trial Alleged Prior Art and Invalidity Arguments Not Disclosed in Defendant's Court-Ordered Invalidity Contentions.

2. I have personal knowledge of the facts stated herein and, if called as a witness, could and would testify competently hereto.

3. Attached hereto as Exhibit A is a true and accurate copy of excerpts from the transcript of the *Markman* hearing before this Court of January 22, 2010.

4. Attached hereto as Exhibit B is a true and accurate copy of excerpts from Defendant Lawson Software, Inc.'s Initial Statement of Invalidity Defenses dated December 8, 2009.

5. Attached hereto as Exhibit C is a true and accurate copy of excerpts from Defendant Lawson Software, Inc.'s Supplemental Initial Statement of Invalidity Defenses dated December 23, 2010.

6. Attached hereto as Exhibit D is a true and accurate copy of correspondence from counsel for *ePlus* to counsel for Lawson Software, Inc. dated April 14, 2010.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Washington, D.C., this 4th day of June, 2010.

/s/
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CERTIFICATE OF SERVICE

I hereby certify that on the 4th of June, 2010, the foregoing

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was electronically filed with the Clerk of the Court using the CM/EFC system, which will then send a notification of such filing (NEF) to the following. Copies of the foregoing were also transmitted *via electronic mail* to the following:

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